

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHERYL SHOCKLEY, and
TREVOR HILLSTROM,

Plaintiffs,

Case No.: 2021-CV-432

v.

CREDITBOX.COM LLC d/b/a CREDIT BOX
and FACTOR TRUST, INC.,

Defendants.

**PLAINTIFFS CHERYL SHOCKLEY AND TREVOR HILLSTROM'S AND
CREDITBOX.COM LLC'S JOINT MOTION TO AMEND COMPLAINT AND DISMISS
CREDITBOX.COM LLC WITH PREJUDICE**

Plaintiffs Cheryl Shockley and Trevor Hillstrom ("Plaintiffs"), and Defendant CreditBox.com LLC ("CreditBox"), by counsel, respectfully move to amend Plaintiffs' First Amended Complaint and to strike and dismiss Plaintiffs' claims against CreditBox in the above-captioned action (the "Action") with prejudice, pursuant to Rule 15(a) of the Federal Rules of Civil Procedure. In support of this motion, the Plaintiffs and CreditBox state:

1. On September 21, 2021, Plaintiffs filed a First Amended Complaint in this Action, asserting violations under the Fair Credit Reporting Act, 15 U.S.C. §§ 1681, et seq., and the Wisconsin Privacy Statute, Wis. Stat. § 995.50. (Dkt. 6.)

2. Plaintiffs have since resolved their claims against CreditBox and, hence, seek to dismiss those claims with prejudice. Plaintiffs maintain their claims against the remaining defendant, Factor Trust, Inc.

3. Accordingly, pursuant to Rule 15(a), Plaintiffs request to amend their First Amended Complaint to strike and dismiss their claims against CreditBox with prejudice, with each party to pay their own attorneys' fees and costs. CreditBox consents to Plaintiffs' request.

4. Plaintiffs are the only two plaintiffs in the Action. Accordingly, this dismissal resolves all of the plaintiffs' claims against CreditBox, and CreditBox should be dismissed from this Action entirely.

WHEREFORE, Plaintiffs Cheryl Shockley and Trevor Hillstrom, and Defendant CreditBox respectfully request that the Court: (1) grant the Plaintiffs' and CreditBox's request to amend Plaintiffs' First Amended Complaint pursuant to Rule 15(a)(2); (2) deem all of Plaintiffs' claims against CreditBox to be stricken from the pleadings; and (3) dismiss all such claims against CreditBox with prejudice, and (4) dismiss CreditBox from this Action, with each party to pay their own attorney fees and costs.

Dated this 28th day of January, 2022.

Respectfully submitted,

by: CRANDALL LAW FIRM, SC

/s/ Eric Crandall

Eric L. Crandall (SBN 1001833)
WisconsinConsumerLaw@frontier.com
421 West Second Street
PO Box 27
New Richmond, WI 54017
Tel: 715-243-9996
Fax: 715-246-3793

*Attorney for Plaintiffs Cheryl Shockley and
Trevor Hillstrom*

Respectfully submitted,

by: GASS TUREK LLC

/s/ David Turek

David J. Turek (SBN 1035356)
turek@gassturek.com
Jerome C. Mohsen (SBN 1097525)
mohsen@gassturek.com
241 N. Broadway, Suite 300
Milwaukee, Wisconsin 53202
Tel: 414-223-3300
Fax: 414-224-6116

Attorneys for CreditBox.com LLC